

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
March 3-7, 1997

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
3-3	EX EX	74/140,026 74/140,610	Small Luxury Hotels of the World Ltd.	Rice* Hohein Hairston	Sec. 6 disclaimer requirement of words "SMALL LUXURY HOTELS" [genericness; non-distinctiveness under Sec. 2(f)]	Refusal Reversed (in both cases)		"SMALL LUXURY HOTELS OF THE WORLD" and "SLH SMALL LUXURY HOTELS OF THE WORLD" (and design) [promoting, marketing and advertising the hotels and resorts of others; hotel and resort reservation services]		Krehely	No
3-3	OPP	90,744	CAE, Inc. v. Clean Air Engineering, Inc.	Rice Hanak* Hohein	2(d)	Opposition Dismissed	"CAE" and "CAE" (and design) [both marks for electronic apparatus and equipment--namely, simulators, visual display systems and motion systems for use with simulators; supervisory control and data logging equipment and systems; and magnetometers and magnetic anomaly detection equipment]; "CAE" (and design) [nuclear power station training simulators; air traffic control radar data processing and display equipment]	"CAE" [technical consultation, testing, research and engineering in the field of environmental processes]			No

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(2) *=Opinion Writer; (D)=Dissenting Panel Member

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3-4	EX	74/540,030	Time, Inc.	Cissel* Hohein Hairston	whether, as evidenced by the specimens of use, the applicant is using the matter asserted for registration as a trademark for the goods recited in its application	Refusal Affirmed		"WHERE AMERICAN DREAMS STILL COME TRUE" [magazines in the field of finance, investments, and related subjects]		Levy	No
3-5	EX	74/450,430	R.G.S. Group, Ltd.	Simms Cissel* Walters	2(a) [immoral or scandalous matter]	Refusal Affirmed		"REALLY GOOD SHIT" [penetrating oil for automotive, marine, industrial, residential, and sporting use]		Carruthers	No
3-5	EX	74/480,996	Lucy Cousins	Cissel Seeherman Hohein*	whether the matter asserted for registration functions as a trademark for applicant's goods or, rather, functions only as part of applicant's book titles]	Refusal Reversed		"MAISY" [children's story books]		Sanok	No

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3-6	CANC CANC	21,379 22,124	Stromgren Supports, Inc. v. Bike Athletic Co.	Simms Cissel Quinn*	genericness; 2(e)(1) [merely descriptive]; abandonment	Petitions to Cancel Granted [on grounds of genericness and abandonment as to mark "COMPRESSION"; on grounds of mere descriptiveness and lack of distinctiveness as to mark "COMPRESSION PERFORMANCE SHORT"]		"COMPRESSION" [hosiery]; "COMPRESSION PERFORMANCE SHORT" [elastic athletic garments and outer wear, namely, sports girdles]			Yes

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3-6	OPP	93,653	W. B. Johnson Properties, Inc. v. Ritz World, Inc.	Simms Hohein Hairston*	2(d)	Opposition Sustained (but not as to opposer's "PUTTIN ON THE RITZ" and "THE RITZ CARLTON ORCHESTRA" marks)	registered marks: "RITZ-CARLTON," "RITZ," "THE RITZ-CARLTON CLUB," and "THE RITZ KIDS" [all for hotel services]; "PUTTIN ON THE RITZ" [watches, stationery items, clothing, food, wine, liquor, etc.]; "THE RITZ-CARLTON ORCHESTRA" [music cassettes and records] and prior use of "THE RITZ," "RITZ," and "RITZ-CARLTON" marks in conjunction with various transportation and rental car services for hotel guests	"RITZ RENT A CAR" (and design) [rental of vehicles]			No
3-7	EX	74/326,627	Evelyn Virshup	Simms Cissel* Walters	de jure functionality; inherent distinctiveness	Refusal Affirmed		configuration of a jewelry storage device [jewelry storage devices]		Alt	Yes
3-7	OPP	94,062	Stephan Enterprises, Inc.	Sams Rice Hohein*	2(d)	Opposition Dismissed	"BOO-BUNNIE" [novelty ice packs for application to minor injuries]	"BOO BOO BUDDY" [cold packs that can provide either hot or cold temperatures]			No

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